



Docket No.: K21722USWO (C038435/0191317)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Elger FUNDA and Torsten HUBER ) Examiner: Ivan Greene  
Serial No.: 10/551,197 ) Art Unit: 1619  
Filed: September 27, 2005 )  
For: **POWDEROUS FORMULATIONS OF** )  
**FAT-SOLUBLE ACTIVE** )  
**INGREDIENTS** )

New York, New York  
November 23, 2009

**SUBMISSION INCLUDING AMENDMENT ACCOMPANYING RCE IN RESPONSE TO  
FINAL OFFICE ACTION, AND PETITION FOR EXTENSION OF TIME**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Submission Including Amendment accompanies a Request for Continued Examination under 37 C.F.R. § 1.114 ("RCE"), and is in response to the Final Office Action mailed July 22, 2009, which set a three-month shortened statutory period for response. A one-month extension of time to respond to the Office Action is hereby requested. Accordingly, this submission is filed timely upon mailing, with an executed certificate of mailing, on or before November 23, 2009, because November 22<sup>nd</sup> fell on a Sunday. 37 CFR § 1.7, 1.8, and 1.136.

Application No.: 10/551,197

Amendment Dated: November 23, 2009

Submission in Reply to Office Action Dated: July 22, 2009

A check in the amount of \$130.00 is enclosed to cover the fee for the extension of time. 37 CFR § 1.17(a)(1). If the fee for extension is missing or insufficient, please charge our Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

A check for \$810.00 is also enclosed for the RCE fee. 37 CFR § 1.17(e). If the RCE fee is missing or insufficient, please charge our Deposit Account No. 02-4467.

If any additional fees are owing, please charge our Deposit Account No. 02-4467.

Application No.: 10/551,197

Amendment Dated: November 23, 2009

Submission in Reply to Office Action Dated: July 22, 2009

A check in the amount of \$130.00 is enclosed to cover the fee for the extension of time. 37 CFR § 1.17(a)(1). If the fee for extension is missing or insufficient, please charge our Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

A check for \$810.00 is also enclosed for the RCE fee. 37 CFR § 1.17(e). If the RCE fee is missing or insufficient, please charge our Deposit Account No. 02-4467.

If any additional fees are owing, please charge our Deposit Account No. 02-4467.

Application No.: 10/551,197

Amendment Dated: November 23, 2009

Submission in Reply to Office Action Dated: July 22, 2009

Please amend the application as follows:

**AMENDMENTS TO THE CLAIMS** are reflected in the listing of claims, which begins on page 4 of this paper.

**REMARKS** begin on page 8 of this paper.